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09/523,583	03/10/2000	Youji Kawamoto	7217/61041	4985

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EXAMINER

WANG, LIANG CHE A

ART UNIT

PAPER NUMBER

2155

DATE MAILED: 02/25/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/523,583

Applicant(s)

KAWAMOTO ET AL.

Examiner

Liang-che Alex Wang

Art Unit

2155

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --***Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 03 February 2003.

2a) This action is FINAL.                            2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 1-12 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-12 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on 02/03/2003 is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.

4) Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_.

## DETAILED ACTION

1. Claims 1-12 have been examined.

### *Drawings*

2. The drawings are objected to because of the following informalities:

- a. Figure 9, item 31F, "MMI" should be changed to "man machine interface" as indicated in page 17 lines 16.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or  
(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

4. Claims 1-3, 7-8, and 11 are rejected under 35 U.S.C. 102(e) as being anticipated by Lee et al, US Patent Number 6,161,008, hereinafter lee.
5. Referring to claim 1, Lee has disclosed a network system comprising:  
a terminal device (see figure 1, item 120, 125, 132, 134, 140, 142)

a network server (see figure 1 item 150 and figure 4) connected to said terminal device via prescribed communication means (Col 2 lines 45-55), wherein a user of the network system and said terminal device to be used by the user are recorded in said network server (Col 2 lines 23-45, figure 4 and Col 11 lines 54-64) and said network server converts information to be transmitted to said terminal device used by the user into conformed information conformed to said terminal device used by the user, and transmits the conformed information to said terminal device (Col 11 lines 12-64.)

6. Referring to claim 2, Lee has further taught where in said network server forms a group of a plurality of users (Col 11 lines 1-10, and Figure 4) and transmits information from a user belonging to said group to a terminal device used by another user belonging to said group (devices listed in Figure 4 are well known communication devices that could send information to one another.)
7. Referring to claim 3, Lee has further taught the network system further comprising storage means (Col 15 lines 39-42), and wherein said terminal device includes interface means connected to said storage means (Col 15 lines 39-42, Col 6 lines 64-Col 7 lines 11, and figure 2) for storing information peculiar to said user and for storing specific information on said group to which said users belongs in said storage means connected to said interface means (Col 15 lines 39-42, TID and PID are the information peculiar to the user Col 5 lines 28-32).
8. Referring to Claims 7, 8, and 11. Claims 7, 8 and 11 encompass the same scope of the invention as that of the Claims 1 and 2. Therefore, the Claims 7, 8 and 11 are rejected for the same reason as the Claims 1 and 2.

*Claim Rejections - 35 USC § 103*

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 4-6, 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee in views of Boyle et al, US Patent Number 56,138,158, hereinafter Boyle.

11. Referring to Claim 4, Lee has disclosed a network system comprising:

a terminal device (see figure 1, item 120, 125, 132, 134, 140, 142)

a network server (see figure 1 item 150 and figure 4) connected to said terminal device via prescribed communication means (Col 2 lines 45-55), wherein a user of the network system and said terminal device to be used by the user are recorded in said network server (Col 2 lines 23-45, figure 4 and Col 11 lines 54-64)

Lee has not explicitly taught that when there is information to be transmitted to said terminal device used by the user, said network server notifies said terminal device used by the server of the presence of the information to be transmitted.

However, Boyle has taught when there is update of a server content, the mobile would be notified with a message to make users aware that there is information for user to receive so the user can make decision if they want to receive this information or not.

(Boyle, Col 5 lines 24-36.)

A person with ordinary skill in the telecommunication art would know that users could send messages to each other in the same group, and the server would first receive

the message from the send user then transmit the message to the requested receiving user.

Applying the teaching of Boyle allows the user be aware of the message that they are going to receive, this would allows the users to make decision if they are going to receive this information or not.

Therefore, it would have been obvious for a person with ordinary skill in the art at the time the invention was made to have the server notifies the user when there is a message going to be sent as taught by Boyle. Because having notification before actually transmitting the data would make user be aware of the information that is going to be transmitted.

12. Referring to claim 5, Lee has further taught where the network server forms a group of plurality of terminal devices used by users (see Figure 4), and when there is information send from a user belonging to said group, said network server notifies a terminal device used by another user belonging to said group of the presence of the above information (devices listed in Figure 4 are well known communication devices that could send information to one another and the notification is already taught by Boyle, as discuss in paragraph 15.)

13. Referring to claim 6, Lee has further taught the network system further comprising storage means (Col 15 lines 39-42), and wherein said terminal device includes interface means connected to said storage means (Col 15 lines 39-42, Col 6 lines 64-Col 7 lines 11, and figure 2) for storing information peculiar to said user and for storing specific information on said group to which said users belongs in said storage means connected to

said interface means (Col 15 lines 39-42, TID and PID are the information peculiar to the user Col 5 lines 28-32).

14. Referring to Claims 9 and 10. Claims 9 and 10 encompass the same scope of the invention as that of the Claims 4 and 5. Therefore, the Claims 9 and 10 are rejected for the same reason as the Claims 4 and 5.

15. Claims 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lee in views of Floden et al. US Patent Number 6,230,002 B1, hereinafter Floden.

Lee has taught an invention as described in Claim 11. Lee has not taught wherein the storage means comprises external storage means removable from said terminal device.

However, Floden has taught terminal device wherein the storage means comprises external storage means removable from said terminal device. (Floden, Col 2 lines 64-67, SIM card is well known as a removable storage mean.)

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to modify the teaching of Lee such that to have the storage means comprises external storage means removable from said terminal device

A person with ordinary skill in the art would have been motivated to make the modification to Lee, because having a removable storage means would allow mobility to the stored data in the storage. Having a removable storage means in Lee's terminal devices would allow the users of Lee's to have a better mobility.

*Response to Arguments*

16. Applicant's arguments with respect to claims 1-12, have been considered but are moot in view of the new ground(s) of rejection.

*Conclusion*

17. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

18. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Liang-che Alex Wang whose telephone number is (703) 305-8159. The examiner can normally be reached on Monday thru Friday, 8:30 am to 5:00 pm.

20. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R Sheikh can be reached on (703) 305-9648. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.
21. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9000.

Liang-che Wang *LW*  
February 14<sup>th</sup>, 2003

*Ayaz Sheikh*  
AYAZ SHEIKH  
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